

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:  
Franke et al

Based on International Application No.  
PCT/EP00/07152

Serial No. 10/048,095

Confirmation No. 1593

Filed: 29<sup>th</sup> July 2002

Title: Method for Power Optimization in a  
Vehicle/Train having an efficiency that  
Depends on the Operating Point

Group Art Unit: 3661

Examiner: Olga Hernandez

Atty. Dkt. No.: 01013.0013.PCUS00

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## RESPONSE TO NON FINAL OFFICE ACTION

**MAIL STOP AF**  
Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

## Certificate of Transmission under 37 CFR 1.8

I hereby certify that this correspondence is being facsimile  
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number 703-872-9306 on

Date: 5 November 2004

Signature: 

S.J.E. de Boer van Zuydam

## INTRODUCTORY COMMENTS

Sir:

The present submission is filed in response to the Office Communication dated 27<sup>th</sup> July 2004 and also to the earlier Office Communication dated 22<sup>nd</sup> April 2004. According to the communication dated 27<sup>th</sup> July 2004, suspension of action has been approved under 37 CFR 1.103. It is thus considered that the communication dated 22<sup>nd</sup> April 2004 was incorrectly sent and that such communication would be reissued on recommencement of the proceedings. In order to expedite matters and in an attempt to overcome the Examiner's objections, please amend the above-identified application as below and consider the accompanying remarks: